

**STATEMENT OF THE ISSUE**

The issues in this case is whether the circuit court erred in granting summary judgment. The circuit court granted summary judgment for both Hill City and Granite Sports. The two most relevant cases are *Locke v. Gellhaus*, 2010 S.D. 11, 778 N.W.2d 594 and *City of Sioux Falls v. Murray*, 470 N.W.2d 619 (S.D. 1991). The most relevant statutory provisions is SDCL § 9-30-2.